



412 Rec'd PCT/PTO 20 MAR 2000 PCT #3

101 Rec'd PCT/PTO 20 MAR 2000 PATENT

Attorney Docket No. 00537/163002

09/423,683

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:
M. A. Cawthorne et al.

INTERNATIONAL APPLICATION NO.
PCT/EP98/02998

INTERNATIONAL FILING DATE:
May 13, 1998

U.S. Application No:
09/423,683

FILED: November 10, 1999

FOR: METHOD AND COMPOSITIONS FOR
TREATING HYPERLIPIDEMIA AND OTHER
CONDITIONS

EXAMINER: To be assigned
ART UNIT: To be assigned

I hereby certify under 37 CFR 1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Assistant Commissioner of Patents, Washington, D.C. 20231.

Date of Deposit: March 13, 2000

Rose Lee Modano

Rose Lee Modano

Hon. Assistant Commissioner of Patents
Washington, D.C. 20231

TRANSMITTAL LETTER AND AUTHORIZATION TO PAY FEE

Sir:

Transmitted herewith is a copy of a Notice of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) with a Certificate of Mailing; a Declaration and Power of Attorney with a Certificate of Mailing; a Petition for Extension of Time (2 copies); and an acknowledgment postcard.

The Assistant Commissioner is hereby authorized to charge the amount of \$130.00, due under 37 C.F.R. 1.16(e) for filing a signed Declaration after the filing date of the above-identified application, to Deposit Account No. 50-0590. Further, the Assistant Commissioner is hereby authorized to charge any other fee due, or to credit any overpayment, to Deposit Account No. 50-0590. Two copies of this letter are enclosed.

Respectfully submitted,

Date: 13 March 2000



Brian R. Morrill
Attorney for Applicants
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09/423,683

CERTIFICATE OF MAILING BY FIRST CLASS MAIL (37 CFR 1.8)

Applicant(s): M. A. Cawthorne et al.

Docket No.

00537/163002

Serial No.

09/423,683

Filing Date

November 10, 1999

Examiner

To be assigned

Group Art Unit

To be assigned

Invention: METHOD AND COMPOSITIONS FOR TREATING HYPERLIPIDEMIA AND OTHER CONDITIONS

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March 13, 2000

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Rose Lee Modano

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Patent and Trademark Office
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Box PCT
Washington, D.C. 20231

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/423683	CAWTHORNE	M 00537/163002
INTERNATIONAL APPLICATION NO.		
PCT/EP98/02998		
I.A. FILING DATE	PRIORITY DATE	
13 MAY 98	13 MAY 97	
DATE MAILED: 24 JAN 2000		

Y ROCK TSAO
FISH & RICHARDSON
225 FRANKLIN STREET
BOSTON, MA 02110

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- ☐ a Designated Office (37 CFR 1.494),
☒ an Elected Office (37 CFR 1.495):

- ☒ U.S. Basic National Fee.
☒ Copy of the international application in:

- ☐ a non-English language.
☒ English.

- ☐ Translation of the international application into English.

- ☐ Oath or Declaration of inventors(s) for DO/EO/US.

- ☐ Copy of Article 19 amendments.

- ☐ Translation of Article 19 amendments into English.

- ☒ The International Preliminary Examination Report in English and its Annexes, if any.

- ☐ Translation of Annexes to the International Preliminary Examination Report into English.

- ☒ Preliminary amendment(s) filed 10 NOV 99 and

- ☒ Information Disclosure Statement(s) filed 10 NOV 99 and

- ☐ Assignment document.

- ☐ Power of Attorney and/or Change of Address.

- ☐ Substitute specification filed

- ☐ Verified Statement Claiming Small Entity Status.

- ☒ Priority Document.

- ☒ Copy of the International Search Report ☒ and copies of the references cited therein.

- ☐ Other:

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.

- ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.

- ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).

- ☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date.

- ☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.

- ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ _____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY 21 OR 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response

Enclosed:

☐ PCT/DO/EO/917

☐ Notice of Defective Translation

☐ PTO-875

COTTMAN, DARRELL

United States Patent and Trademark Office as
Docketed By Practice Systems
Action Code: Miss Requirements
Base Date: 1/24/2000
Due Date: 2/21/2000
Deadline: 2/24/2000
Initial: LCR

Docketed By Billing Secretary
Due Date: 2/24/00
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Initials: Kad

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